

FILED

SEP 28 2016

Clerk, U.S. District Court
District Of Montana
Billings

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

OLIVER LEE WHITE,

Defendant.

CR 16-84-BLG-SPW

ORDER

The United States has filed a Motion for Evaluation of Defendant to Determine Competency to Stand Trial (Doc. 12). The United States' motion is brought pursuant to 18 U.S.C. § 4241(a) and (b).

After reviewing the motion, the United States' representations to the Court, and upon reviewing evidence presented at the hearing, the Court finds reasonable cause to believe the Defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

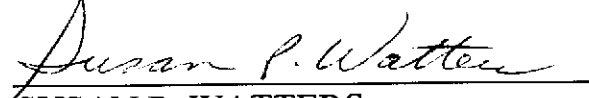
Accordingly, **IT IS HEREBY ORDERED:**

1. The Motion for Evaluation of Defendant to Determine Competency to Stand Trial (Doc. 12) is **GRANTED**. Oliver Lee White shall undergo an evaluation to determine his competency to proceed in this matter in accordance with 18 U.S.C. § 4247(b)-(c) at a federal facility designated by the Bureau of Prisons.
2. The Court requests that the competency evaluation be expedited by the Bureau of Prisons' facility for the reason that Mr. White previously underwent a competency evaluation at FTC SeaTac in October, 2012.
3. The United States Marshals Service shall request that the Bureau of Prisons designate a federal facility where Defendant shall be evaluated. The United States Marshals Service shall notify the Court when it receives notice of the facility that has been designated.
4. All time from the date of this Order until the date of the Court's determination as to Defendant's competency is excludable under the Speedy Trial Act. 18 U.S.C. § 3161(h)(1)(A).

IT IS FURTHER ORDERED that the Defendant's trial set for Monday, October 24, 2016 is **VACATED** until further Order of the Court.

The Clerk of Court shall immediately notify the parties and the United States Marshals Service of the entry of this Order.

DATED this 28th day of September, 2016.



SUSAN P. WATTERS
United States District Judge